

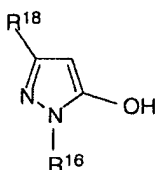
APPENDIX I:

CLAIM AMENDMENTS:

Cancel Claims 43 to 45, and amend Claims 30, 46, and 50 to 52, as indicated in the following listing of the claims:

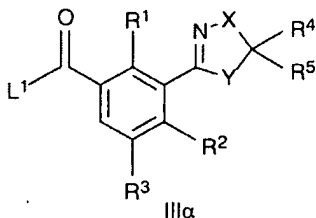
1. - 16. (*canceled*)

17. (*withdrawn - previously presented*) A process for the preparation of the 3-heterocyclyl-substituted benzoyl compound of the formula I defined in claim 28, which comprises acylating a pyrazole of the formula II

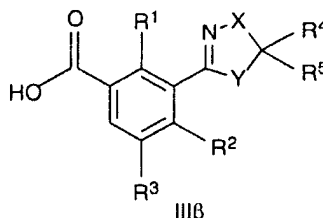


II

with an activated carboxylic acid IIIa or with a carboxylic acid IIIb



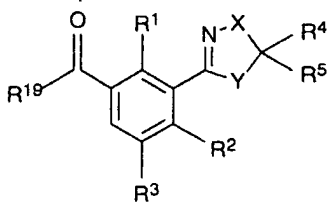
IIIa



IIIb

where L^1 is a nucleophilically displaceable leaving group and subjecting the acylation product to a rearrangement reaction to give the compound I.

18. (*withdrawn - previously presented*) A 3-heterocyclyl-substituted benzoic acid compound of the formula III,



III

where

R¹⁹ is halogen, hydroxyl or C₁-C₆-alkoxy,
R¹ is C₁-C₂-alkyl, methoxy or methylsulfonyl;
R² is nitro, halogen, C₁-C₆-alkyl, C₁-C₆-haloalkyl, C₁-C₆-alkylthio, C₁-C₆-alkylsulfinyl, C₁-C₆-alkylsulfonyl or C₁-C₆-haloalkylsulfonyl;
R³ is hydrogen, halogen or C₁-C₆-alkyl;
R⁴ is hydrogen or methyl, and R⁵ is hydrogen;
X is O;
Y is CR¹³R¹⁴;
R¹³, R¹⁴ are hydrogen, C₁-C₄-alkyl, C₁-C₄-haloalkyl, C₁-C₄-alkoxycarbonyl, C₁-C₄-haloalkoxycarbonyl or CONR⁷R⁸;
R⁷ is hydrogen or C₁-C₄-alkyl;
R⁸ is C₁-C₄-alkyl.

19. - 20. (*canceled*)

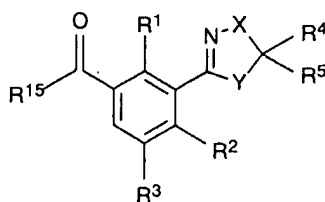
21. (*previously presented*) A composition comprising a herbicidally active amount of at least one 3-heterocyclyl-substituted benzoyl compound of the formula I or of the agriculturally useful salt of I defined in claim 28, and auxiliaries conventionally used for the formulation of crop protection products.

22. (*withdrawn - previously presented*) A process for the preparation of the composition defined in claim 21, which comprises mixing a herbicidally active amount of at least one 3-heterocyclyl-substituted benzoyl compound of the formula I or of the agriculturally useful salt of I and auxiliaries conventionally used for the formulation of crop protection products.

23. (*withdrawn - previously presented*) A method of controlling undesirable vegetation, which comprises allowing a herbicidally active amount of at least one 3-heterocyclyl-substituted benzoyl compound of the formula I or of the agriculturally useful salt of I defined in claim 28 to act on plants, their environment and/or on seeds.

24. - 27. (*canceled*)

28. (*previously presented*) A 3-heterocyclyl-substituted benzoyl compound of the formula I



wherein

X is O;

R¹ is C₁-C₂-alkyl, methoxy or methylsulfonyl;

R² is nitro, halogen, C₁-C₆-alkyl, C₁-C₆-haloalkyl, C₁-C₆-alkylthio, C₁-C₆-alkylsulfinyl, C₁-C₆-alkylsulfonyl or C₁-C₆-haloalkylsulfonyl;

R³ is hydrogen, halogen or C₁-C₆-alkyl;

R⁴ is hydrogen or methyl, and R⁵ is hydrogen;

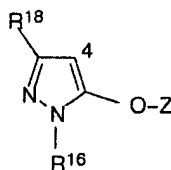
Y is CR¹³R¹⁴;

R¹³, R¹⁴ are hydrogen, C₁-C₄-alkyl, C₁-C₄-haloalkyl, C₁-C₄-alkoxycarbonyl, C₁-C₄-haloalkoxycarbonyl or CONR⁷R⁸;

R⁷ is hydrogen or C₁-C₄-alkyl;

R⁸ is C₁-C₄-alkyl;

R¹⁵ is a pyrazole of the formula II which is linked in the 4-position



wherein

R¹⁶ is C₁-C₆-alkyl;

Z is H; and

R¹⁸ is hydrogen or methyl.

29. (previously presented) The 3-heterocycl-yl-substituted benzoyl compound of the formula I defined in claim 28, wherein R¹ is methyl, R² is methylsulfonyl, R³ is hydrogen, R¹⁶ is methyl and R¹⁸ is hydrogen.

30. (currently amended) ~~4-[2-Methyl-3-(4,5-dihydroisoxazol-3-yl)-4-methylsulfonylbenzoyl]-1-methyl-5-hydroxy-1H-pyrazole~~ 4-[2-Methyl-3-

(4,5-dihydroisoxazol-3-yl)-4-methylsulfonyl]benzoyl-1-methyl-5-hydroxy-1H-pyrazole.

31. (*withdrawn - previously presented*) The 3-heterocyclyl-substituted benzoyl compound of the formula I defined in claim 28, wherein R¹ is methyl, R² is methylsulfonyl, R³ is hydrogen, R¹⁶ is ethyl and R¹⁸ is hydrogen.
32. - 33. (*canceled*)
34. (*withdrawn - previously presented*) The 3-heterocyclyl-substituted benzoyl compound of the formula I defined in claim 28, wherein R¹ is methyl, R² is methylsulfonyl, R³ is hydrogen, R¹⁶ is methyl and R¹⁸ is methyl.
35. (*previously presented*) The 3-heterocyclyl-substituted benzoyl compound of the formula I defined in claim 28, wherein R⁴ denotes hydrogen.
36. (*previously presented*) The 3-heterocyclyl-substituted benzoyl compound of the formula I defined in claim 28, wherein R¹ is methyl.
37. (*previously presented*) The 3-heterocyclyl-substituted benzoyl compound of the formula I defined in claim 35, wherein R¹ is methyl.
38. (*withdrawn - previously presented*) The 3-heterocyclyl-substituted benzoyl compound of the formula I defined in claim 35, wherein R¹ is methyl, R² is methylsulfonyl, R³ is hydrogen, R¹⁶ is ethyl and R¹⁸ is hydrogen.
39. (*withdrawn - previously presented*) The 3-heterocyclyl-substituted benzoyl compound of the formula I defined in claim 35, wherein R¹ is methyl, R² is methylsulfonyl, R³ is hydrogen, R¹⁶ is methyl and R¹⁸ is methyl.
40. (*withdrawn - previously presented*) The 3-heterocyclyl-substituted benzoic acid compound of the formula III defined in claim 18, wherein R⁴ denotes hydrogen.

41. (*withdrawn - previously presented*) The 3-heterocyclyl-substituted benzoic acid compound of the formula III defined in claim 18, wherein R^1 is methyl.
42. (*withdrawn - previously presented*) The 3-heterocyclyl-substituted benzoic acid compound of the formula III defined in claim 40, wherein R^1 is methyl.
43. - 45. (*canceled*)
46. (*withdrawn - currently amended*) The 3-heterocyclyl-substituted benzoic acid compound of the formula III defined in claim ~~45~~ 42, wherein R^2 is methylsulfonyl and R^3 is hydrogen.
47. (*previously presented*) The 3-heterocyclyl-substituted benzoic acid compound of the formula I defined in claim 28, wherein
- X is O;
- R^1 is C_1-C_2 -alkyl;
- R^2 is C_1-C_6 -alkylthio or C_1-C_6 -alkylsulfonyl;
- R^3 is hydrogen;
- Y is $CR^{13}R^{14}$; and
- R^{13} , R^{14} are hydrogen or C_1-C_4 -alkyl.
48. (*previously presented*) The composition defined in claim 21, comprising a herbicidally active amount of at least one 3-heterocyclyl-substituted benzoic acid compound of the formula I or of the agriculturally useful salt of I, wherein
- X is O;
- R^1 is C_1-C_2 -alkyl;
- R^2 is C_1-C_6 -alkylthio or C_1-C_6 -alkylsulfonyl;
- R^3 is hydrogen;
- Y is $CR^{13}R^{14}$; and
- R^{13} , R^{14} are hydrogen or C_1-C_4 -alkyl.
49. (*withdrawn - previously presented*) The 3-heterocyclyl-substituted benzoic acid compound of the formula III defined in claim 18, wherein
- X is O;
- R^1 is C_1-C_2 -alkyl;

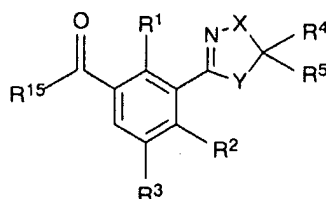
R^2 is C_1 - C_6 -alkylthio or C_1 - C_6 -alkylsulfonyl;

R^3 is hydrogen;

Y is $CR^{13}R^{14}$; and

R^{13} , R^{14} are hydrogen or C_1 - C_4 -alkyl.

50. (currently amended) A compound represented by formula I



wherein

R^1 is C_1 - C_6 -alkyl;

R^2 is C_1 - C_6 -alkylthio or C_1 - C_6 -alkylsulfonyl;

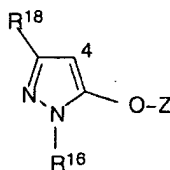
R^3 is hydrogen;

R^4 and R^5 are hydrogen or C_1 - C_4 -alkyl;

X is oxygen;

Y is $CR^{10}R^{11}$ $CR^{13}R^{14}$; wherein R^{10} R^{13} and R^{11} R^{14} are hydrogen or C_1 - C_4 -alkyl;

R^{15} is a pyrazole of the formula II



which is linked in the 4-position, wherein

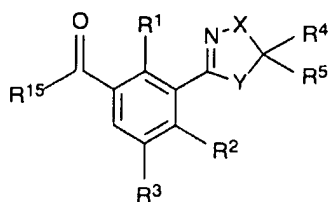
R^{16} is C_1 - C_6 -alkyl;

Z is hydrogen or SO_2R^{17} ; wherein

R^{17} is phenyl or phenyl which is partially or fully halogenated and/or has attached to it one to three of the following groups: C_1 - C_4 -alkyl and C_1 - C_4 -alkoxy; and

R^{18} is hydrogen or C_1 - C_6 -alkyl.

51. (currently amended) A herbicide characterized by containing one or more compounds represented by formula I



wherein

R^1 is C_1 - C_6 -alkyl;

R^2 is C_1 - C_6 -alkylthio or C_1 - C_6 -alkylsulfonyl;

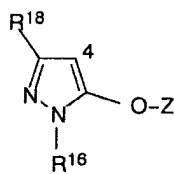
R^3 is hydrogen;

R^4 and R^5 are hydrogen or C_1 - C_4 -alkyl;

X is oxygen;

Y is $CR^{10}R^{11}$ $CR^{13}R^{14}$; wherein R^{10} R^{13} and R^{11} R^{14} are hydrogen or C_1 - C_4 -alkyl;

R^{15} is a pyrazole of the formula II



which is linked in the 4-position, wherein

R^{16} is C_1 - C_6 -alkyl;

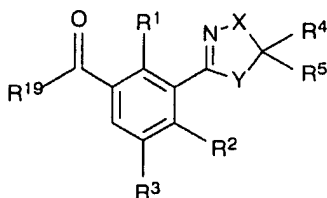
Z is hydrogen or SO_2R^{17} ; wherein

R^{17} is phenyl or phenyl which is partially or fully halogenated and/or has attached to it one to three of the following groups: C_1 - C_4 -alkyl and C_1 - C_4 -alkoxy; and

R^{18} is hydrogen or C_1 - C_6 -alkyl,

as active ingredients.

52. (withdrawn - currently amended) A compound represented by formula III



where

R^{19} is hydroxyl or C_1 - C_6 -alkoxy,

R^1 is C_1 - C_6 -alkyl;

R^2 is C_1 - C_6 -alkylthio or C_1 - C_6 -alkylsulfonyl;

R^3 is hydrogen;

R^4 and R^5 are hydrogen or C_1 - C_4 -alkyl;

X is oxygen; and

Y is $\text{CR}^{10}\text{R}^{11}$ $\text{CR}^{13}\text{R}^{14}$; wherein R^{10} R^{13} and R^{11} R^{14} are hydrogen or C_1 - C_4 -alkyl.